

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

MARQUIS FURNITURE, INC., an  
Oklahoma corporation,

Plaintiff,

v.

Case No. CIV-04-1604-F

MATHIS BROS. FURNITURE CO. INC. an  
Oklahoma corporation, et al

Defendants.

BROYHILL FURNITURE INDUSTRIES,  
INC.,

Counter-Claimant,

v.

MARQUIS FURNITURE, INC., an  
Oklahoma Corporation

Counter-Defendant,

and

GARY D. BAUGH and MARY BAUGH

Third Party Defendants.

**STIPULATION OF AND REQUEST FOR DISMISSAL**  
**OF LA-Z-BOY, INC. WITH PREJUDICE**

Pursuant to F.R.Civ.P. 41(a)(2), Plaintiff, Marquis Furniture, Inc. (“Marquis”) hereby stipulates to the dismissal with prejudice of its claims and causes of action against La-Z-Boy, Inc. in the above styled case and requests that the Court enter an order dismissing LA-Z-Boy, Inc. from this action with prejudice.

/s/Eric S. Eissenstat

Eric S. Eissenstat, OBA #10282

Steve Stephens, OBA #10479

Brooks A. Richardson, OBA #18133

Nicholas V. Merkley, OBA #20284

FELLERS, SNIDER, BLANKENSHIP,  
BAILEY & TIPPENS

100 North Broadway, Suite 1700

Oklahoma Cit, OK 73102-8820

Telephone: (405) 232-0621

Facsimile: (405) 232-9659

E-mails: [eeissenstat@fellerssnider.com](mailto:eeissenstat@fellerssnider.com)

[sstephens@fellerssnider.com](mailto:sstephens@fellerssnider.com)

[brichardson@fellerssnider.com](mailto:brichardson@fellerssnider.com)

[nmerkley@fellerssnider.com](mailto:nmerkley@fellerssnider.com)

Attorneys for Plaintiff Marquis Furniture, Inc.

### **CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of August, 2008, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Alix L Samara

[asamara@hartzoglaw.com](mailto:asamara@hartzoglaw.com)

Drew Neville, Jr.

[dneville@hartzoglaw.com](mailto:dneville@hartzoglaw.com)

Kurt M Rupert

[krupert@hartzoglaw.com](mailto:krupert@hartzoglaw.com)

Ryan S Wilson

[rwilson@hartzoglaw.com](mailto:rwilson@hartzoglaw.com)

David A Burrage

[dburrage@burragelaw.com](mailto:dburrage@burragelaw.com)

Michael Burrage

[mburrage@burragelaw.com](mailto:mburrage@burragelaw.com)

James M Sturdivant  
[jsturdivant@gablelaw.com](mailto:jsturdivant@gablelaw.com)

Timothy A Carney  
[tcarney@gablelaw.com](mailto:tcarney@gablelaw.com)

Larry J. Saylor  
[saylor@millercanfield.com](mailto:saylor@millercanfield.com)

John N. Hermes  
[john.hermes@mcafeetaft.com](mailto:john.hermes@mcafeetaft.com)

*/s/Eric S. Eissenstat*

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